

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael C. Stolowitz

Application No.: 10/822,115

Group No.: 2188

Filed: 04/08/2004

Examiner: Walter, Craig E.

For: METHOD AND APPARATUS FOR SYNCHRONIZING DATA FROM ASYNCHRONOUS
DISK DRIVE DATA TRANSFERS

Mail Stop Appeal Briefs – Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF APPEAL BRIEF
(PATENT APPLICATION--37 C.F.R. § 41.37)**

1. This brief is in furtherance of the Notice of Appeal filed 06/26/2007, a substitute for the Appeal Brief filed 10/25/2007, and in response to the Notification of Non-Compliant Appeal Brief mailed on 03/07/2008.

2. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 C.F.R. § 41.20(b)(2), the fee for filing the Appeal Brief is:

other than a small entity	\$510.00
---------------------------	----------

Appeal Brief fee due	\$510.00
-----------------------------	-----------------

4. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

5. TOTAL FEE DUE

The total fee due is:

Appeal brief fee	\$0.00 (previously paid on 10/25/2007)
Extension fee (if any)	\$0.00
TOTAL FEE DUE	\$0.00

6. FEE PAYMENT

Applicant believes that no fees are due in connection with the filing of this paper because the Appeal Brief fee was paid with a previous submission. However, the Commissioner is authorized to charge any additional fees that may be due (e.g. for any reason including, but not limited to, fee changes, etc.) to Deposit Account No. 50-1351 (Order No. NVIDP486).

7. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. NVIDP486).

Date: March 25, 2008

Reg. No.: 41,429
Tel. No.: 408-971-2573
Customer No.: 75359

/KEVINZILKA/

Signature of Practitioner
Kevin J. Zilka
Zilka-Kotab, PC
P.O. Box 721120
San Jose, CA 95172-1120